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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re Application of:

Liat Mintz

Serial No: 10/659,782

Filed: September 11, 2003

For: COMPOSITIONS, REAGENTS AND KITS  
FOR AND METHODS OF DIAGNOSING,  
MONITORING AND TREATING OBESITY  
AND/OR DIABETES

Case No.: 28238

Art Unit: 1636

Examiner: J. Dunston

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT BEFORE  
MAILING DATE OF A FIRST OFFICE ACTION ON THE MERITS (37 CFR §  
1.97(b)(4))**

Sir:

The Information Disclosure Statement transmitted herewith is being filed **before** the mailing date of the earliest occurrence of a first Office Action on the merits after the filing of a Request For Continued Examination.

Applicant believes that no fee is due in accordance with the filing of this Information Disclosure Statement.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 501447 (Potter Anderson & Corroon LLP).

Respectfully submitted,

  
\_\_\_\_\_  
Jeffrey Saffran  
Attorney for Applicant  
Reg. No. 54,689  
Telephone: (302) 984-6132  
Facsimile: (302) 658-1192

Date: December 29, 2005



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**INFORMATION DISCLOSURE STATEMENT**

Sir:

Listed on accompanying Forms PTO/SB/08A and PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. This statement is being filed within the time period specified in 37 CFR §1.97(b)(4). Applicant believes that no fee is required.

The Examiner is requested to consider and to make record herein of all the references cited by or to the Office in connection with the listed applications. In accordance with MPEP 609 (III)(A)(2) (pursuant to USPTO OG Notices of 05 August 2003 stating that "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003"), Applicant has not included copies of the U.S. Patents listed on the enclosed Forms PTO/SB/08A and PTO/SB/08B.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will review art of record in all 35 U.S.C. § 120 priority documents.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Forms PTO/SB/08A and PTO/SB/08B, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 501447 (Potter Anderson & Corroon LLP).

Respectfully submitted,

  
\_\_\_\_\_  
Jeffrey Saran  
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Date: December 25, 2005

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	10/659,782
		Filing Date	September 11, 2003
		First Named Inventor	Liat Mintz
		Art Unit	1636
		Examiner Name	J. Dunston
Sheet 2	of 3	Attorney Docket Number	28238

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		A. ASAKAWA, et al., Antagonism of ghrelin receptor reduces food intake and body weight gain in mice, Gut 2003:52:947-952	
		MARIA A. BEDNAREK et al., Function Studies on the New Growth Hormone-Releasing Peptide, Ghrelin..., J. Med. Chem., 2000, 43, 4370-4376	
		MASAYASU KOJIMA et al., Ghrelin is a growth-hormone-releasing acylated peptide from stomach, Nature, Vol 402, Dec 9, 1999, pp 656-660	
		HIROSHI HOSODA et al., Purification and Characterization of Rat des-Gln14-Ghrelin..., J. Biol. Chem., Vol. 275, No. 29, Issue of July 21, pp 21995-2200, 2000	
		MITSUYO SHINTANI et al., Ghrelin, and Endogenous Growth Hormone Secretagogue..., Diabetes, Vol. 50, Feb 2001, pp 227-232	
		P L JEFFERY et al., Expression and action of the growth hormone releasing peptide ghrelin..., Journal of Endocrinology (2002) 172, Feb 8, 2002, pp R7-R11	
		MINORU TANAKA et al., Testis-specific and developmentally induced expression of a ghrelin..., Biochimica et Biophysica Acta, 1522 (2001) pp 62-65	
		L. TRUDEL et al., Ghrelin/motilin-related peptide is a potent prokinetic to reverse gastric postoperative ileus..., Am J Physiol Gastro Liver Physiol 282: G948-G952, 2002	
		ANKE HINNEY et al., Ghrelin gene: Identification of missense variants and a frameshift mutation..., J of Clinical Endocrinology & Metabolism 87(6): 2716-2719 (2002)	
		MARTA KORBONITS et al., A variation in the ghrelin gene increases weight and decreases..., J of Clinical Endocrinology & Metabolism 87(8): 4005-4008 (2002)	

Examiner Signature	Date Considered
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 This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		<b>Examiner Name</b>	J. Dunston
<b>Sheet</b>	3	<b>of</b>	3
		<b>Attorney Docket Number</b>	28238

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		OLAVI UKKOLA et al., Role of Ghrelin Polymorphisms in Obesity Based on Three Different Studies, Obesity Research Vol. 10 No. 8 August 2002 pp 782-791	
		ANTONIO TORSELLO et al., Short Ghrelin Peptides Neither Displace Ghrelin Binding In Vitro..., Endocrinology 143(5):1968-1971 (2002)	
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		KAZUHIRO KAWAMURA et al., Ghrelin Inhibits the Development of Mouse Preimplantation..., Endocrinology 144(6):2623-2633 (2003)	
		A.M. WREN et al., The Novel Hypothalamic Peptide Ghrelin Stimulates Food Intake..., Endocrinology Vol. 141, No. 11, pp 4325-4328 (2000)	

<b>Examiner Signature</b>	<b>Date Considered</b>
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Application No: 10/659,782

Filing Date: September 11, 2003

Title: Compositions, Reagents And Kits For And Methods Of Diagnosing, Monitoring And Treating Obesity And/Or Diabetes

First Named Inventor: Liat Mintz

Attorney Docket: 28238

- Transmittal of Information Disclosure Statement
- Information Disclosure Statement
- Forms PTO/SB08 A & B
- Copies of 15 references
- Receipt Card